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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 JOHN ARMER,

12 Defendant.

13 CASE NO. CR14-5294BHS

14 ORDER

15 This matter comes before the Court on the Defendant's Unopposed Motion to Continue
16 Trial Date. The Court, having considered the unopposed motion and the Defendant's speedy
17 trial waiver, makes the following findings of fact and conclusions of law:

18 1. Due to other trial commitments, defense counsel needs additional time to review
19 discovery and perform its own independent investigation and conduct legal research prior to
20 filing pretrial trial motions and undertaking trial preparation.

21 2. The defense needs additional time to explore all relevant issues and defenses
22 applicable to the case, which would make it unreasonable to expect adequate preparation for
pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act
and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3. Taking into account the exercise of due diligence, a continuance is necessary to allow the defendant the reasonable time for effective preparation his defense, to explore resolution of this case before trial and to ensure continuity of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

5. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

6. Defendant waived speedy trial through January 31, 2015.

NOW, THEREFORE, IT IS HEREBY ORDERED

That the trial date is continued from November 4, 2014, to January 6, 2015, at 9:00 a.m. Pretrial Conference is set for December 29, 2014, at 1:30 p.m. Pretrial motions are due by December 4, 2014. The resulting period of delay from October 17, 2014, to January 6, 2015, is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B).

Dated this 20th day of October, 2014.


BENJAMIN H. SETTLE
United States District Judge